

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, JANUARY 25, 2006**

UNAPPROVED
MARCH 2, 2006

PRESENT: Walter L. Alcorn, Commissioner At-Large
Frank A. de la Fe, Hunter Mill District
Suzanne F. Harsel, Braddock District
James R. Hart, Commissioner At-Large
Ronald W. Koch, Sully District
Kenneth A. Lawrence, Providence District
Rodney L. Lusk, Lee District
Peter F. Murphy, Jr., Springfield District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: John R. Byers, Mount Vernon District
Janet R. Hall, Mason District
Nancy Hopkins, Dranesville District

//

The meeting was called to order at 8:20 p.m. by Chairman Peter F. Murphy, Jr., in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway, Fairfax, Virginia 22035.

//

COMMISSION MATTERS

Commissioner de la Fe noted that the Planning Commission's Transportation Committee had met earlier this evening to be briefed on Phase I of the Dulles Corridor Rail project and related 2232 and Special Exception Amendment applications and to receive an update on the review of the Transportation Element of the Policy Plan.

//

Commissioner Koch noted that this evening, staff had distributed a set of proposed development conditions dated January 25, 2006, for the decision on SE 2005-SU-007, Korean Central Presbyterian Church Trustees, scheduled for Thursday, January 26, 2006. He added that the applicant's representative, Lynne Strobel, Esquire, had sent a memorandum dated January 25, 2006, which addressed the outstanding questions that had been raised at the public hearing on January 12, 2006.

//

Commissioner Alcorn indicated that he would update the Planning Commission on the status of land use related bills involved in the 2006 session of the Virginia General Assembly in Richmond.

//

Commissioner Alcorn announced that at the Board of Supervisors' meeting on Monday, January 23, 2006, Chairman Gerald Connolly moved to initiate a review of the County's land use information process and accessibility and to establish a task force, which would lay out a long-term vision and plan to make land use information available more easily by using new technologies.

//

Commissioner Lawrence announced his intent to defer the public hearing on SE 2005-PR-009, Sunrise Assisted Living Partnership, from Thursday, January 26, 2006, to a date to be determined.

//

Commissioner Lusk MOVED THAT THE JOINT PUBLIC HEARING ON RZ/FDP 2005-LE-010 AND RZ/FDP 2004-LE-043, EASTWOOD PROPERTIES, INC., BE DEFERRED TO A DATE CERTAIN OF MARCH 2, 2006.

Commissioner Lawrence seconded the motion which carried unanimously with Commissioners Byers, Hall, and Hopkins absent from the meeting.

//

Chairman Murphy reminded Commissioners to return their 2006 Preference Form for Planning Commission Committees to Barbara Lippa, Executive Director, no later than Thursday, January 26, 2006.

//

FSA-H02-15-1 - T-MOBILE, 13865 Sunrise Valley Drive

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION THAT FSA-H02-15-1 BE CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*, AS AMENDED.

Commissioner Lusk seconded the motion which carried unanimously with Commissioner Wilson not present for the vote; Commissioners Byers, Hall, and Hopkins absent from the meeting.

//

FS-S05-38 - OMNIPOINT COMMUNICATIONS CAP OPERATIONS LLC,
4608 West Ox Road

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN FS-S05-38.

Commissioners Lawrence and Lusk seconded the motion which carried unanimously with Commissioner Wilson not present for the vote; Commissioners Byers, Hall, and Hopkins absent from the meeting.

//

SEA 87-L-078 - P.R. RESTAURANT INC. AND SM PROPERTIES INC., T/A PORTALES
RESTAURANT (Decision Only)

(The public hearing on this application was held on December 7, 2005. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Lusk MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA 87-L-078, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JANUARY 25, 2006.

Commissioner Lawrence seconded the motion which carried by a vote of 7-0-2 with Commissioners Murphy and Wilson abstaining; Commissioners Byers, Hall, and Hopkins absent from the meeting.

//

ORDER OF THE AGENDA

Secretary Harsel established the following order of the agenda:

1. FDPA 81-M-092-02 - DONALD A. WEISS AND JUDITH A. WEISS
2. PCA 84-L-020-20/FDPA 84-L-020-02-11 - APPLE FEDERAL CREDIT UNION & KOHL'S DEPARTMENT STORES, INC.

This order was accepted without objection.

//

FDPA 81-M-092-02 - DONALD A. WEISS AND JUDITH A. WEISS
- Appl. to amend a portion of the final development plan for RZ 81-M-092 previously approved for residential development to permit a modification to the minimum required yard on a single-family detached lot. Located at 4501 Highland Green Ct. on approx. 5,375 sq.

ft. of land zoned PDH-8. Tax Map 72-1 ((26)) (2) 37. MASON
DISTRICT. PUBLIC HEARING.

Chairman Murphy noted that Commissioner Koch would act on this case in the absence of Commissioner Hall.

Donald Weiss, applicant, reaffirmed the affidavit dated November 14, 2005. There were no disclosures by Commission members.

Commissioner Koch asked that Chairman Murphy ascertain whether there were any speakers for this application. There being none, he asked that presentations by staff and the applicant be waived and the public hearing closed. No objections were expressed; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Koch for action on this case. (A verbatim excerpt is in the date file.)

//

Commissioner Koch MOVED THAT THE PLANNING COMMISSION APPROVE
FDPA 81-M-092-02, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS
CONTAINED IN APPENDIX 1 OF THE STAFF REPORT.

Commissioners Alcorn and Lawrence seconded the motion which carried unanimously with Commissioners Byers, Hall, and Hopkins absent from the meeting.

//

PCA 84-L-020-20/FDPA 84-L-020-02-11 - APPLE FEDERAL
CREDIT UNION & KOHL'S DEPARTMENT STORES, INC. -
Appls. to amend the proffers and final development plan for RZ 84-L-
020 previously approved for commercial retail development to permit
an addition to an existing retail building and to add a freestanding
building to include a bank with drive-thru, eating establishment,
office uses, and establishment of a commuter parking lot with an
overall Floor Area Ratio (FAR) of 0.28. Located in the N.E. quadrant
of the intersection of King Centre Dr. and Sir Viceroy Dr. on approx.
10.55 ac. of land zoned PDC. Comp. Plan Rec: Commercial/Mixed
Use. Tax Map 91-2 ((1)) 32C and 32E. LEE DISTRICT. PUBLIC
HEARING.

Keith Martin, Esquire, with Sack, Harris & Martin, PC, reaffirmed the affidavit dated January 4, 2006. Commissioner Hart disclosed that his law firm, Hart & Horan, PC, had a pending case with Charles Shumate, an agent listed on the affidavit, but there was no financial relationship and it would not affect his ability to participate in this case.

Commissioner de la Fe disclosed that he and his wife were members of the Apple Federal Credit Union, but said it would not affect his ability to participate in this case.

Greg Chase, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the applications.

Mr. Martin reviewed the history of the application, noting that Apple Federal Credit Union had agreed to provide 12 commuter parking spaces after Kohl's Department Store had decided not to do so. He noted that the applications had a favorable recommendation from the Lee District Land Use Committee. He explained that Commissioner Lusk had agreed to defer the decision on this case to allow time for the Virginia Department of Transportation and the Fairfax County Department of Transportation to reach agreement on the deletion of Development Condition Number 4 requiring the provision of a right turn taper on Kingstowne Boulevard at the existing site entrance and revision of Development Condition Number 5 to indicate that Apple Federal Credit Union would provide a pro-rata contribution towards the expansion of the existing right turn taper to a full right turn deceleration lane as deemed appropriate.

Chairman Murphy called for speakers but received no response; therefore, he noted that a rebuttal statement was not necessary. There were no comments or questions from the Commission and staff had no closing remarks; therefore, he closed the public hearing and recognized Commissioner Lusk for action on this case. (A verbatim excerpt is in the date file.)

//

Commissioner Lusk MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ON PCA 84-L-020-20 AND FDPA 84-L-020-02-11 TO A DATE CERTAIN OF JANUARY 26, 2006, WITH THE RECORD TO REMAIN OPEN FOR WRITTEN COMMENT.

Commissioner Lawrence seconded the motion which carried unanimously with Commissioners Byers, Hall, and Hopkins absent from the meeting.

//

The meeting was adjourned at 8:45 p.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

CLOSING

January 25, 2005

Audio and video recordings of this meeting are available at the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Kara A. DeArrastia

Approved on: _____

Linda B. Rodeffer, Clerk to the
Fairfax County Planning Commission